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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/619,179	07/19/2000	Dimitri Kanevsky	YO999-468	1031

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EXAMINER

CHUONG, TRUC T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 05/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/619,179

Applicant(s)

KANEVSKY ET AL.

Examiner

Truc T Chuong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44-57 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 44-57 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

1. This communication is responsive to Amendment A, filed 03/12/03.
2. Claims 44-57 are pending in this application. Claims 44-47 are new claims, and claims 44, 54, and 56 are independent claims. In Amendment A, claims 1-43 are cancelled. This action is made final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 44-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace (U.S. Patent No. 5,848,396) in view of Cohen et al. (Automatic Strategies in the Siemens RTL Tiled Window Manager, 1988, IEEE, pages 111-119).

As to claim 44, a method for automatic control of window viewing, comprising:

determining a priority for each of a set of windows (priority and appropriate information for the user, col. 7 lines 24-37, col. 32 line 7, and primary screen display, col. 6 lines 22-36) based on a first opened time for said window, a last opened time for said window, a current time, contents of said window (starting and ending time, col. 6 lines 40-67), a percent visibility of said window, a scrolling amount for said window, and an access amount for said window (automatically tailors screen views, col. 17 lines 1-10); and

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Gerace teaches automatically display windows in order of said priority on a graphical user interface (see above); however, Gerace does not clearly show tiling windows based on the priority. Cohen teaches Tiled Window Manager which automatically adjusts the size and position of windows on screen to balance the visibility screen space (pages 111-113 and figs. 1, 2.1, 3.1, and 3.2). It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to have the Cohen's tiling display feature in Gerace's priority display format to balance competing demands for screen space (first paragraph, page 111).

As to claim 45, Gerace teaches the method according to claim 44, further comprising: automatically sizing said windows on said graphical user interface according to said priority (size, col. 3 lines 4-10, col. 6 lines 22-35 and col. 17 lines 1-10).

As to claim 46, Gerace teaches the method according to claim 44, further comprising: automatically positioning said windows on said graphical user interface according to said priority (layout, col. 17 lines 1-10).

As to claim 47, Gerace's priority displays in view of Cohen's tiling feature teaches the method according to claim 44, wherein said windows are automatically tiled (see claim 44 above) only when a redrawing function is selected by a user (responds to commands log in and menu selections, col. 4 lines 50-55).

As to claim 48, Gerace teaches the method according to claim 44, further comprising: storing said first opened time, said last opened time, said contents, said percent visibility, said scrolling amount, and said access amount for each window (storing and recording, col. 6 lines 40-57).

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As to claim 49, Gerace teaches the method according to claim 44, further comprising: automatically displaying for said window in a color according to said priority on said graphical user interface (display format preferences including colors, col. 17 lines 1-15).

As to claim 50, Gerace teaches the method according to claim 44, wherein contents of said window is determined by latent semantic indexing (symbol/code, col. 8 lines 1-12).

As to claim 51, Gerace teaches the method according to claim 44, wherein contents of said window is determined by a content label assigned by a user (enable user to interactively create his own screen display information, col. 8 lines 1-12).

As to claim 54, this is a system claim of method claim 44. Note the rejection of claim 44 above.

5. Claims 52 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace et al. (U.S. Patent No. 5,848,396) in view of Cohen et al. (Automatic Strategies in the Siemens RTL Tiled Window Manager, 1988, IEEE), and further in view of Bolnick et al. (U.S. Patent No. 5,838,317).

As to claim 52, Gerace's priority displays in view of Cohen's tiling feature teaches the method according to claim 44, further comprising: automatically tiling on said graphical user interface according to said priority (see claim 44 above, and col. 6 lines 22-35, col. 17 lines 1-15); however, Gerace's priority displays in view of Cohen's tiling feature does not teach tiling icons in a task bar. Bolnick clearly shows tiling icons in a taskbar (col. 31 lines 62-67 and figs. 1 and 8). It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to add this highly desirable layout feature of Bolnick in Gerace's priority

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displays in view of Cohen's tiling feature to prevent displays from being obscured by open windows.

As to claim 53, Gerace's priority displays in view of Cohen's tiling feature teaches the method according to claim 44 further comprising: icons on a desktop on said graphical user interface according to said priority (layout, col. 17 lines 1-15); however, Gerace and Cohen do not clearly show that icons are automatically arranged. Bolnick teaches automatically arranging icons (col. 12 lines 16-22). It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to have the automatically arranging icons feature of Bolnick in Gerace's priority displays in view of Cohen's tiling feature to organize presentations on a display screen (col. 14 lines 24-30).

6. Claims 55-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gerace (U.S. Patent No. 5,848,396) in view of Cohen et al. (Automatic Strategies in the Siemens RTL Tiled Window Manager, 1988, IEEE, pages 111-119), and further in view of Woods et al. (U.S. Patent No. 5,956,039).

As to claim 55, the system according to claim 54, further comprising:

Gerace's system in view of Cohen's Tiled Window Manager (see claim 44) does teach a caching component capable of executing on said processor (processor, col. 3 lines 39-67); wherein said processor determines a relevance for each web page in a cache based on a first written time for said web page, a last accessed time for said web page, a display time for said web page, a percent visibility for said web page, a scrolling amount for said web page, contents of said web page, and an access amount for said web page (col. 4 lines 1-45 and col. 6 lines 22-67);

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however, Gerace's system in view of Cohen's Tiled Window Manager does not clearly shows wherein said caching component automatically stores more relevant web pages longer in said cache than less relevant web pages. Woods teaches priority of data to be able to unload data from memory or other cache storage levels, when such data is not longer perceivable (col. 4 lines 56-61); furthermore, Woods also teaches higher priority assets should remain in the request queues at all time (col. 13 lines 62-65), and remove or replace assets from cache that no longer have a high priority (col. 14 lines 48-61). It would have been obvious at the time of the invention that a person with ordinary skill in the art would want to add the highly efficient way of using memory of Woods's data assets in Gerace's system in view of Cohen's Tiled Window Manager to increase the performance by the efficient use of limited resources (col. 3 lines 50-54).

As to claim 56, this is a method claim of system claim 55. Note the rejection of claim 55 above.

As to claim 57, Gerace teaches the method according to claim 56, further comprising: providing a facility for accessing web pages in order of said relevance (access, col. 6 lines 46-60).

Response to Arguments

7. Applicant's arguments with respect to claims 44-57 have been considered but are moot in view of the new ground(s) of rejection.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bertram (U.S. Patent No. 5,602,597) teaches priority, storage, save, delete, and display (cols. 2-40 and figs. 14-18).

Bolnick et al. (U.S. Patent No. 6,043,817) teach priority, tile displays, time, saving, remove, and delete (cols. 2-33 and figs. 1-22).

Oran et al. (U.S. Patent No. 5,920,316) teach tile, taskbar, display, and sizing (cols. 1-12 and figs. 3-28).

Torres (U.S. Patent No. 5,365,360) teaches priority display, tile, and layout (cols. 2-10 and figs. 1-6).

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T Chuong whose telephone number is 703-305-5753. The examiner can normally be reached on M-F 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Truc T. Chuong
May 19, 2003

Kristine Kincaid
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